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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
'08 MJ 0586

UNITED STATES OF AMERICA,

Plaintiff,

v.

Fabiola PEREZ-Perez

Defendant.

Magistrate Case No. _____

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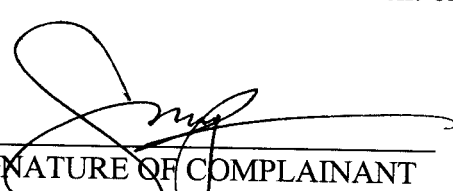
COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(1)(A)(iv)-Inducing and
Encouraging Illegal Alien(s)
To Enter the United States

The undersigned complainant being duly sworn states:

On or about **February 26, 2008**, within the Southern District of California, defendant **Fabiola PEREZ-Perez**, did encourage and induce an alien, namely **Maria Elena ROMERO-Romero** with the intent to violate the immigration laws of the United States, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence in the United States is and will be in violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

Sworn to before me and subscribed in my presence, this **28th** day of **February, 2008**.


UNITED STATES MAGISTRATE JUDGE

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PROBABLE CAUSE STATEMENT

The complainant states that **Maria Elena ROMERO-Romero** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On February 26, 2008, at about 9:34 p.m., **Fabiola PEREZ-Perez (Defendant)** made application for admission into the United States at the San Ysidro, California Port of Entry as the driver of a 1989 Buick Electra. One visible female passenger accompanied Defendant. Upon inspection before a United States Customs and Border Protection (CBP) Officer, Defendant presented as her own a Form DSP-150 (Border Crossing Card) bearing the name Norma Cecilia Andrade De Diaz. Defendant also presented a Border Crossing Card, bearing the name Leticia Guadian Gonzalez on behalf of the passenger. Defendant gave a negative customs declaration and stated she intended to travel to Chula Vista, California to shop. The CBP Officer suspected Defendant and passenger were imposters to the documents presented. The vehicle and its occupants were subsequently escorted to secondary for further inspection.

In secondary, Defendant and the female passenger were determined to be imposters to the documents presented. Defendant and the female passenger were both identified as citizens of Mexico without legal documents to enter the United States. The female passenger was retained as a material witness and is now identified as **Maria Elena ROMERO-Romero (Material Witness)**.

During a videotaped proceeding, Defendant was advised of her Miranda rights and elected to submit to questioning without benefit to counsel. Defendant admitted she is aware the passenger is an undocumented alien and that she purposely presented the Border Crossing Cards on their behalf, knowing that the Border Crossing Cards were not rightfully issued to them. Defendant admitted she agreed to drive the vehicle into the United States and deliver the vehicle and passenger to an unknown location in Chula Vista, California. Defendant stated, in return, she would be excluded from paying the initial full amount of \$3,000.00 USD to be smuggled into the United States.

On a separate videotaped interview, Material Witness declared she is a citizen of Mexico without legal rights to enter the United States. Material Witness admitted she made smuggling arrangements with Defendant. Material witness admitted she agree to pay a fee of \$1,500.00 USD to be smuggled in the United States, which was to be paid in full to Defendant upon her successful arrival to Santa Ana, California.